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Attorneys for Plaintiffs BRUCE CAHILL, GREG CULLEN,
SHANE SCOTT, RON FRANCO, and PHARMA PAK, INC.

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

BRUCE CAHILL, an individual, et al.,

Plaintiffs,

-- vs. --

PAUL PEJMAN EDALAT, an
individual, et al.,

Defendants.

CASE NO: 8:16-cv-00686-AG-DFM

**NOTICE OF MOTION AND
MOTION TO COMPEL
CONTINUED DEPOSITION OF
DEFENDANT PAUL EDALAT**

**Discovery Cut-Off: 3/13/2017
Pretrial Conference: 5/22/2017
Jury Trial 6/13/2017**

Date: February 7, 2017

Time: 10:00 a.m.

Place: Courtroom 6B

Honorable Douglas F. McCormick

**United States Courthouse
411 West Fourth Street
Santa Ana, CA 92701-4516**

NOTICE OF MOTION AND MOTION TO COMPEL THE DEPOSITION OF DEFENDANT PAUL EDALAT
Case No. 8:16-cv-00686-AG-DFM

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 Please take notice that on Tuesday, February 7, 2017, at 10:00 a.m., or as
3 soon thereafter as counsel may be heard in Courtroom 6B of the United States
4 District Court, located at 411 West Fourth Street, Santa Ana, California 92701-
5 4516, Plaintiffs Bruce Cahill, Gregory Cullen, Shane Scott, Ron Franco, and
6 Pharma Pak, Inc. will and hereby do move this Court for an order compelling
7 Defendant Paul Edalat to appear for another deposition session and compelling him
8 to answer questions he refused to answer on December 21, 2016 (without any
9 proper objection by counsel) including on the subject of Defendant EFT Global
10 Holdings, Inc. d/b/a Sentar Pharmaceuticals; and ordering that Mr. Edalat must
11 provide a handwriting sample during the deposition by signing his name at least
12 ten (10) times in the presence and sight of counsel and the court reporter on a blank
13 piece of paper to be marked as an exhibit and made part of the record; and that the
14 deposition should be taken in front of a discovery referee with the cost to be paid
15 by Mr. Edalat.

16 This motion is made following first, in-person discussions of counsel during
17 the deposition of Mr. Edalat on December 21, 2016 (during which counsel set forth
18 their positions on the dispute on the record). Pursuant to Local Rule 37-1, the day
19

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1 after the deposition, on December 22, 2016, Plaintiffs' counsel served a letter
2 requesting to arrange a conference concerning this dispute which set out the issues
3 in dispute, Plaintiffs' position, legal authority in support, and the terms of the
4 discovery order which would be sought. On January 3, 2017, Plaintiffs' counsel
5 served a draft joint stipulation on defense counsel setting out Plaintiffs' contentions
6 as well. Due to the holiday, defense counsel, Kristopher Diulio, Esquire, was out of
7 the office until January 4, 2017, and was in contact upon his return to set a meet
8 and confer by telephone (because counsel are not located in the same county),
9 which occurred on January 6, 2017. The parties were unable to resolve the dispute
10 and therefore, Plaintiffs file this motion, along with the attached Joint Stipulation
11 regarding this motion which sets out the contentions of Plaintiffs and of
12 Defendants. The parties rely on the contentions and points and authority set out in
13 the accompanying stipulation and the accompanying exhibits, pursuant to L.R. 37-
14 2.

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21 Dated: January 17, 2017

22 MARKHAM & READ

23
24 /s/ John J.E. Markham, II
25 John J.E. Markham, II, SBN 69623
26 One Commercial Wharf West
Boston, MA 02110

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4 *Counsel on behalf of Plaintiffs Bruce*
5 *Cahill, Greg Cullen, Ron Franco, and*
6 *Pharma Pak and Counterclaim*
7 *Defendants*
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CERTIFICATE OF SERVICE

Commonwealth of Massachusetts) ss,
County of Suffolk.)

I am employed in the county and state aforesaid. I am over the age of 18 and not a party to the within action. My business address is One Commercial Wharf West, Boston MA 02110

On January 17, 2017, I served the foregoing document described as:

NOTICE OF MOTION AND MOTION

[X] BY ELECTRONIC MAIL via the ECF filing system on:

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Attorneys for Defendants Paul Pejman Edalat, Olivia Karpinski, Farah Barghi, Blue Torch Ventures, Inc., LIWA, N.A., Inc., Sentar Pharmaceuticals, Inc. and EFT Global Holdings, Inc.

Executed on January 17, 2017, in Boston, Massachusetts.

I declare under penalty of perjury under the laws of United States and the State of California that the foregoing is true and correct.

/s/ John J. E. Markham, II
John J. E. Markham, II

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